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Notice of Allowability

Application No.

10/697,086

Examiner

Matthew D. Hoel

Applicant(s)

OKADA, KAZUO

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3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9/5/2006.
2. ☒ The allowed claim(s) is/are 1-6,9 and 11.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 11/29/06
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


SCOTT JONES
PRIMARY EXAMINER

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with attorney Carl Schaukowitch on Nov. 29th, 2006. Mr. Schaukowitch faxed in the claims including the examiner's proposed amendments on the 12th of Dec.
3. The application has been amended as follows:
4. Please replace all of the claims with the claim language in the fax sent in by Mr. Schaukowitch on the 12th of Dec., 2006. The claims are the same as the previously amended claims except that the examiner's proposed amendment has been included.

Please change the specification as follows:

Change the title from "Gaming Machine" to "Gaming Machine Having Transparent LCD in Front of Variable Display Device, the LCD Having a Light-Guiding Plate and a Reflective Plate".

Allowable Subject Matter

5. Claims 1 to 6, 9, and 11 are allowed. The following is an examiner's statement of reasons for allowance: In the final rejection of 5-5-2006, the examiner was relying on two separate embodiments of '658, Figs. 2 and 28, to reject all of the limitations of

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Claim 1. Fig. 28 teaches an LCD 24, a light-guiding plate 25 (semi-transparent reflective plate 25, Para. 138), and a peripheral light source 26. Paragraphs 135 to 141 describing Fig. 28 do not mention transparent windows in an LCD directly over respective slot reels. The amendments to the independent claims on 9-5-2006, after the final rejection introduced the limitation of a reflection plate disposed between the variable display device and the light guiding plate. Light plate 25 of '658 has functions of guiding light and reflection, but no suggestion is made of separate reflection plates and light-guiding plates. The examiner believes these differences cause the embodiments of '658 Figs. 2 and 28 to sufficiently teach away from combination regarding the present claim language. The proposed examiner's amendment agreed to by the applicant introduces the limitation of displaying images in the partial surface area or in the remaining surface area over respective ones of the plurality of transparent area of the light guiding plate. This is enabled by Figs. 1 and 2a-c and Page 5, Line 14 to Page 6, Line 20 of the specification. These figures show activated paylines displayed in areas peripheral to the areas directly over the reels. Niiyama ('182, translation entered 3-14-2005) teaches displaying information in areas other than directly over the slot reels (game display section 10, number display section 12, stop display sections 15a-c, and stop switch display sections 25a-c on LCD 235, Figs. 7 and 8, Pages 5 to 9 and 15). '658 is silent as to displaying information in areas other than directly over the slot reels. '658 displays activated slot lines (Figs. 14 and 20, Para. 106, 119), but these are in LCD displays directly over the slot reels, either in one LCD split into three sections or in three LCDs, one over each reel (Figs. 1 to 3, Para. 40 to 52, especially Para. 44). '658 is

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silent as to displaying gaming information in areas other than directly over the reels.

'658 mentions '182 and teaches itself as an improvement over '182 (Para. 7, 8, and 11).

'182 merely displays winning lines over the reels (Para. 8); '658 displays the front pattern the LCD directly over the back pattern on the reels together to form a winning combination (Para. 11). Claims 1, 4, and 9 of '658 appear to preclude displaying images in areas other than directly over the reels. The examiner believes that these differences cause the two references to teach sufficiently away from each other regarding the presently amended claim language to preclude combination, rendering the claims allowable. '658 was used as the primary reference throughout prosecution as it was the only reference early enough to include a light guiding plate with a peripheral light source in conjunction with a transparent LCD over a variable display device. The examiner respects that the applicant may have different reasons for allowance.

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Citation of Pertinent Prior Art

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7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following U.S. patent publications are considered to be relevant: 6,817,946; 6,893,345; 2004/0029636; 6,976,915; 4,371,870; 4,562,433; 4,568,928; 4,518,225; 6,853,410; 6,720,021; 6,339,418; 6,141,067; 6,642,975; 6,377,339; 6,954,238; 5,146,354; 5,546,296; 4,826,296; 6,181,301, and 2003/0214471. These cases were also cited by the examiner in the recent allowance of 10/697,006, another similar application from Aruze Corp. involving a transparent LCD positioned in front of a variable display device on a gaming machine.

Conclusion

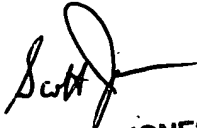
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew D. Hoel whose telephone number is (571) 272-5961. The examiner can normally be reached on Mon. to Fri., 8:00 A.M. to 4:30 P.M.

9. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xuan M. Thai can be reached on (571) 272-7147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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10. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Matthew D. Hoel, Patent Examiner
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